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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,164	12/14/2001	Joachim Keitel	5085-18	5846

7590 09/12/2005

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EXAMINER

YODER III, CHRISS S

ART UNIT	PAPER NUMBER
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2612

DATE MAILED: 09/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/017,164

Applicant(s)

KEITEL ET AL.

Examiner

Chriss S. Yoder, III

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5, 8-10 and 12 is/are rejected.
- 7) ☒ Claim(s) 4, 6, 7 and 11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 05/02
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-3, 8-10, and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Lee (US Patent # 5,373,319).
2. In regard to claim 1, note Lee discloses the steps of directing at least one light beam for illuminating the field from at least one light-exit area of a lamp housing toward a predetermined housing axis (column 5, lines 5-10; and figure 6: 110 and 112) and automatically adjusting the optical axis of a video camera, which is mounted on a bracket at a specified distance from the light exit with freedom to pivot the camera about a tilt axis, by a positioning element until the camera's optical axis intersects the at least one light beam in the area of the illuminated field (column 5, line 32- column 6, line 5).
3. In regard to claim 2, note Lee discloses driving the positioning element with signals from a control unit (column 5, line 32- column 6, line 5; and figure 6: 160-161 and 170-171; the based on the output of the comparators the positioning element is controlled).
4. In regard to claim 3, note Lee discloses adjusting the video camera relative to the predetermined housing axis until the optical axis of the camera at least approximately

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intersects the predetermined housing axis (column 5, line 32- column 6, line 5; the housing axis is determined to be the axis provided by the light source).

5. In regard to claim 8, note Lee discloses iteratively correcting the alignment of the optical axis of the camera (column 8, lines 18-26).

6. In regard to claim 9, note Lee discloses at least one lamp housing (column 5, lines 5-10; and figure 6: 110 and 112), a light source arranged in the housing so that at least one light beam emerges in a direction of a predetermined axis to illuminate a field (column 5, lines 5-10; and figure 6: 110 and 112), and a video camera arranged in the housing at a set distance away from one of an exit point of the light beam and the predetermined axis, the video camera having an optical axis and a positioning element operative to automatically shift the optical axis of the camera with respect to the at least one light beam or with respect to the predetermined axis of the lamp housing until the optical axis of the camera intersects the illuminated field (column 5, line 32- column 6, line 5).

7. In regard to claim 10, note Lee discloses a control unit operative to drive the positioning element of the video camera, the control unit being responsive to driving signals which depend on orientation of the video camera with respect to the predetermined axis of the lamp housing or of the light beam (column 5, line 32- column 6, line 5; and figure 6: 160-161 and 170-171; the based on the output of the comparators the positioning element is controlled).

8. In regard to claim 12, note Lee discloses a photosensor provided to generate a driving signal for the control unit (column 4, lines 56-60; and figure 6: 111 and 113).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lee (US Patent # 5,373,319).
10. In regard to claim 5, note Lee discloses the use of a video camera that adjust the angle of the camera based on the light input as claimed in claim 1 above. Therefore, it can be seen that the Lee device fails to pivot the video camera in a stepwise manner. Official notice is taken that the concepts and advantages of using a stepper motor to adjust the position of a device are well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art to modify the Lee device to include the use of a stepper motor in order to have the camera be positioned very precisely or rotated by an exact angle.

Allowable Subject Matter

Claims 4, 6-7, and 11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As for claims 4, the prior art does not teach or fairly suggest the use of camera, as claimed in claim 1, that adjust the distance by first panning the camera across a range and then pivots the camera to the position of maximum brightness.

As for claims 6, the prior art does not teach or fairly suggest the use of camera, as claimed in claim 1, that determines the distance to an illuminated field by using camera focus and sending signals from the control unit to the positioning element to compensate for parallax between the optical axis of the camera and light beam.

As for claims 11, the prior art does not teach or fairly suggest the use of camera, as claimed in claim 10, that has an angle sensor that generates the driving signals based on the orientation of the optical axis in space and the orientation of the lamp housing, of the predetermined axis, or of the light beam.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US006891978B1: note the use of an angle sensor to adjust the orientation of the camera based on the current angle.

US006498564B2: note the use of a pan and tilt system for a camera that can track an object.

US005347431A: note the use of camera and light that are motorized to adjust the direction of the device.

US005457325A: note the use of a camera mounted on a bracket a fixed distance away from a light source.

US006762794B1: note the use of distance measurement.

US006483536B2: note the use of distance measurement.

US006878924B2: note the use of light source mounted on a bracket a fixed distance away from a camera.

US006441888B1: note the use of distance measurement.

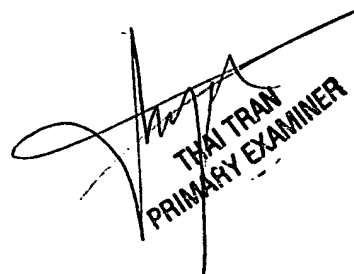
US004081214: note the use of distance measurement by using a light source mounted a fixed distance away from the camera.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chriss S. Yoder, III whose telephone number is (571) 272-7323. The examiner can normally be reached on M-F: 8 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on (571) 272-7308. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CSY
August 19, 2005


THAI TRAN
PRIMARY EXAMINER